



# *COMMONWEALTH of VIRGINIA*

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**To:** Ms. Christine Martine, Assistant Director  
Cemetery Board  
Virginia Department of Professional and Occupational Regulation  
3600 W. Broad Street  
Richmond, Virginia 23230

**From:** Elizabeth B. Peay  
Assistant Attorney General

**Date:** February 7, 2007

**Subject:** Letter of Assurance for 18 VAC 47-20, Regulations establishing licensing and trust fund requirements for cemetery companies

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I have reviewed the Cemetery Board's regulations establishing licensing and trust fund requirements for cemetery companies. In my view, as counsel to the Cemetery Board, the Board may promulgate these regulations pursuant to its authority to regulate preneed burial contracts and perpetual care trust fund accounts and regulate sales personnel under §54.1-2313.D of the Code of Virginia. The Board may further adopt such other regulations as it deems appropriate under §54.1-2313.E of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect. This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.

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